

The Honorable Ronald B. Leighton

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

SEAN WILSON, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

PLAYTIKA LTD, an Israeli limited company,
and CAESARS INTERACTIVE
ENTERTAINMENT, LLC, a Delaware limited
liability company,

Defendants.

Case No. 18-cv-05277-RBL

DECLARATION OF TODD LOGAN

NOTE ON MOTION CALENDAR:

August 6, 2020

1 Pursuant to 28 U.S.C. § 1746, I declare and state as follows:

2 1. I am an attorney at Edelson PC, which has been retained to represent Plaintiff in
3 the above-captioned matter. I am entering this declaration in support of Plaintiff's Unopposed
4 Motion for Preliminary Approval of Class Action Settlement Agreement.

5 2. I have personal knowledge of the matters stated herein and, if called upon, I could
6 and would competently testify thereto.

7 3. In the months following Caesars Interactive Entertainment, LLC's ("CIE")
8 Motion to Dismiss, Dkt. 75, the Parties engaged in substantial jurisdictional discovery efforts,
9 including CIE's production of thousands of pages of documents.

10 4. Public records indicate that the International Social Gaming Association
11 ("ISGA") hired lobbyists Brent Ludeman, Scott Hazlegrove, and Lisa Thatcher to lobby for
12 changes to Washington gambling law.

13 5. I understand that in February 2019, the ISGA provided Washington legislators
14 with draft legislation that, *inter alia*, proposed to change the definition of "thing of value" under
15 RCW 9.46.0285.

16 6. In 2019 and 2020, certain proposed Class Counsel met with Washington
17 legislators in Olympia, Washington, offered written and in-person testimony before the House
18 Civil Rights & Judiciary Committee, sent correspondence to Senator Mark Mullet, spoke with
19 press about the ISGA's efforts to change Washington gambling law, and helped more than 100
20 self-identified social casino users across the country submit letters, via email, to Washington
21 State Representatives.

22 7. In May 2020, the Parties' settlement talks began in earnest. The Parties agreed to
23 schedule a mediation session on June 16, 2020 with Judge Layn Phillips (ret.) of Phillips ADR
24 and further agreed to make best efforts to reach a resolution prior to the formal mediation date.
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1 8. Over the following weeks, the Parties were in near-daily communication with the
2 Phillips ADR team and each other. During this period, Defendants provided Plaintiff with
3 several sets of detailed transactional data, the Parties exchanged substantive briefing on the core
4 facts, legal issues, litigation risks, and potential settlement structures, and the Parties
5 supplemented that briefing with written and telephonic correspondence, mediated by the Phillips
6 ADR team.

7 9. On June 10, 2020, the Parties reached an agreement in principle as to an
8 appropriate settlement amount. In my professional judgment, when the Parties agreed to this
9 settlement, the Parties were fully informed on all pertinent issues and capable of assessing the
10 benefits of the settlement.

11 10. Negotiations on remaining term sheet issues continued until a final term sheet
12 was executed on June 12, 2020.

13 11. Over the next several weeks, the Parties exchanged several rounds of a working
14 settlement document and supporting exhibits, met and conferred telephonically to discuss the
15 remaining disputed provisions, and began the process of meeting and conferring with Apple Inc.,
16 Google LLC, and Facebook, Inc. to help design a notice and administration plan.

17 12. On August 5, 2020, the Parties completed execution of the Settlement Agreement
18 now before the Court.

19 13. Based on documents I have reviewed in this case, more than one hundred
20 thousand individuals in Washington have played Slotomania, House of Fun, Caesars Slots, and
21 Vegas Downtown Slots (the “Applications”).

22 14. Plaintiff has long demonstrated his willingness to vigorously prosecute this case,
23 including by providing his counsel with relevant documents and testimony, by having his
24 deposition taken in a related matter, and more broadly by helping raise public awareness about
25 these cases.

1 15. Proposed Class Counsel have no conflicts of interest. Proposed Class Counsel
2 have no financial stake in any of the Defendants nor any connections to particular class members
3 that might cause it to privilege certain members over others.

4 16. Clients represented by Edelson PC first raised the underlying legal theory in these
5 cases more than five years ago. To my knowledge, no other law firm in the country has ever
6 pursued similar claims as those raised in these cases.

7 17. Over the years, Edelson PC attorneys have represented the interests of the
8 proposed class not just in the specific bounds of these case dockets, but also in proceedings
9 before the Washington State Gambling Commission and before the Washington Legislature.

10 18. Proposed Class Counsel are well-qualified and experienced members of the
11 plaintiffs' bar who together have extensive experience in class actions of similar size, scope, and
12 complexity to these cases, have frequently been appointed lead class counsel by courts
13 throughout the country, and have the resources necessary to conduct litigation of this nature.

14 19. In my professional judgment, the most significant risk facing the settlement
15 class's recovery is a retroactive change in Washington gambling law.

16 20. In my professional judgment, if Plaintiff tried this case to verdict, there would be
17 subsequent appeals that would likely take years to resolve. In my professional judgment, the
18 expense and burden associated with litigating this through both trial and appeals militate in favor
19 of granting preliminary approval.

20 21. Based on the current Plan of Allocation, and on my conversations with proposed
21 class members in this and other related cases, the recoveries class members stand to receive will
22 in many instances be life-changing.

23 22. The Parties only agreed to mediate after more than two years of contentious
24 litigation, including the production and review of more than ten thousand (10,000) pages of
25 documents, briefing before this Court, and a petition for interlocutory review to the Ninth
26 Circuit.

23. In my professional judgment, the proposed settlement is fair, reasonable, and adequate, and in the best interests of the class.

24. Based on documents I have reviewed, I estimate that more than 225,000 UserIDs associated with settlement class members will receive direct notice.

25. Attached hereto as Exhibit 1 is a true and accurate copy of the Class Action Settlement Agreement, entitled “Class Action Settlement Agreement.”

26. Attached hereto as Exhibit 2 is a true and accurate copy of Edelson PC's Firm resume, entitled "Edelson PC Firm resume."

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 6, 2020 at San Francisco, California.

/s/ Todd Logan